

RECEIVED  
CENTRAL FAX CENTER

MAY 11 2006

## FAX TRANSMISSION

DATE: May 11, 2006

PTO IDENTIFIER: Application Number 10/688303-Conf. #9456  
Patent Number

Inventor: Kentaro NAGOSHI et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (617) 273-8900

FROM: LAHIVE & COCKFIELD, LLP  
Anthony A. Laurentano

PHONE: (617) 227-7400

Attorney Dkt. #: SIW-067

PAGES (Including Cover Sheet): 6

CONTENTS: Transmittal (1 page)  
Response to Restriction Requirement (without Traverse) (3 pages)  
Certificate of Transmission (1 page)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (617) 227-7400 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

LAHIVE & COCKFIELD, LLP  
28 State Street, Boston, Massachusetts 02109  
Telephone: (617) 227-7400 Facsimile: (617) 742-4214

RECEIVED  
CENTRAL FAX CENTER

MAY 11 2006

PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

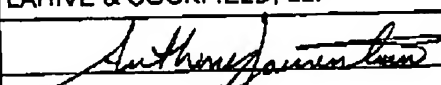
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p>	Application Number	10/688303-Conf. #9456
	Filing Date	October 15, 2003
	First Named Inventor	Kentaro NAGOSHI
	Art Unit	1745
	Examiner Name	R. Alejandro
Total Number of Pages in This Submission	Attorney Docket Number	SIW-087

## ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): <b>Response to Restriction Requirement</b>
Remarks		

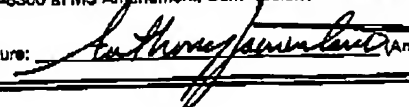
## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	LAHIVE & COCKFIELD, LLP		
Signature			
Printed name	Anthony A. Laurentino		
Date	May 11, 2006	Reg. No.	38,220

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-8300 at MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: May 11, 2006

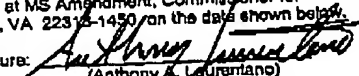
Signature:

 (Anthony A. Laurentino)

RECEIVED  
CENTRAL FAX CENTER

MAY 11 2006

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted by facsimile to the Patent and Trademark Office, facsimile no. (571) 273-8300 at MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Dated: May 11, 2006 Signature:   
(Anthony A. Lauremiano)

Docket No.: SIW-067  
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Kentaro Nagoshi *et al.*

Application No.: 10/688303

Confirmation No.: 9456

Filed: October 15, 2003

Art Unit: 1745

For: FUEL CELL SEPARATOR ASSEMBLY WITH  
DIFFUSION LAYER, MANUFACTURING  
METHOD THEREFOR, FUEL CELL UNIT,  
AND FUEL CELL STACK

Examiner: R. Alejandro

**RESPONSE TO RESTRICTION REQUIREMENT**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the restriction requirement set forth in the Office Action mailed April 11, 2006 (Paper No. 20060407).

The Examiner has required restriction between the following inventions in the above-identified application:

Group I encompassing claims 1-7 which is drawn to a separator comprising specific diffusion layers (classified in Class 204, Subclass 295);

Group II encompassing claims 8-10 drawn to methods for fabricating a separator assembly including laser-weld (classified in Class 156, Subclass 272.8); and

Group III encompassing claims 11-15 which is drawn to fuel cell unit/stack (classified in Class 429, Subclass 34).

Additionally, the Examiner has required a further restriction to one of the following species:

Docket No.: SIW-067

Application No.: 10/688303

- Species 1: the first embodiment of Figure 1;
- Species 2: the first embodiment of Figure 2;
- Species 3: the second embodiment of Figure 3;
- Species 4: the third embodiment of Figure 4;
- Species 5: the fourth embodiment of Figure 5;
- Species 6: the fourth embodiment of Figure 6;
- Species 7: the fifth embodiment of Figure 7;
- Species 8: the sixth embodiment of Figure 8;
- Species 9: the seventh embodiment of Figure 9;
- Species 10: the eighth embodiment of Figure 10: and
- Species 11: the ninth embodiment of Figure 11.

Accordingly, Applicants hereby elect Group I, claims 1-7, and Species 11: the ninth embodiment of Figure 11 for further prosecution. Applicants also respectfully submit that at least claims 1, 2, 5 and 6 are readable on the elected species.


Applicants deem this Response to be fully responsive to the Office Action. If further issues regarding the restriction persist, the Examiner is invited to telephone Applicant's representative at the telephone number below.

Application No.: 10/688303

Docket No.: STW-067

Dated: May 11, 2006

Respectfully submitted,

By   
Anthony A. Laurentano  
Registration No. 38,220  
LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, Massachusetts 02109  
(617) 227-7400  
(617) 742-4214 (Fax)  
Attorney/Agent For Applicants

PTO/SB/07 (09-04)

Approved for use through 07/31/2008. OMB 0651-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Attorney Docket No.: SIW-067

Application No. (if known): 10/688303

## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on May 11, 2006  
Date

  
SignatureAnthony A. Laurentano

Typed or printed name of person signing Certificate

38,220

Registration Number, if applicable

(617) 227-7400

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Transmittal (1 page)

Response to Restriction Requirement (without Traverse) (3 pages)